

DPR MODIFIED PROMESA B1040 (FORM 1040) (05/17)

PROMESA COVER SHEET (Instructions on Reverse)		CASE NUMBER (Court Use Only)	
PLAINTIFFS (DEBTOR, if Title III Petition; ISSUER, if Title VI Application) PFZ PROPERTIES, INC.		DEFENDANTS COMMONWEALTH OF PUERTO RICO	
ATTORNEYS (Firm Name, Address, and Telephone No.) DAVID CARRION BARALT, PO BOX 364463, SAN JUAN, PR 00936 (787) 758-5050		ATTORNEYS (If Known) SECRETARY OF JUSTICE DEPARTMENT OF JUSTICE CALLE OLIMPO PARADA 11 MIRAMAR, SAN JUAN, PR 00907	
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Trustee <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Other		PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Creditor <input type="checkbox"/> Trustee <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Other	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) This court has jurisdiction over Plaintiff's federal claims under 28 U.S.C. 1331, because they arise under the Takings Clause and the Due Process Clause of the Fifth Amendment to the Constitution of the United States, applied to the Commonwealth either directly or through the Fourteenth Amendment. Jurisdiction is also predicated on Section 306(a) of the Puerto Rico Oversight, Management and Economic Stabilization Act, 48 U.S.C. § 2166.			
NATURE OF SUIT			
<input type="checkbox"/> PROMESA Title III Petition <input type="checkbox"/> PROMESA Title VI Application for Approval of Modifications <input checked="" type="checkbox"/> Other Federal Question <input checked="" type="checkbox"/> Adversary Proceeding <input checked="" type="checkbox"/> Demand \$ <u>75,550,000.00</u> <i>If Adversary Proceeding is checked, number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc., below:</i> FRBP 7001(1) – Recovery of Money/Property <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property – other FRBP 7001(2) - Validity, Priority or Extent of Lien <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property FRBP 7001(5) – Revocation of Confirmation <input type="checkbox"/> 51-Revocation of confirmation FRBP 7001(7) – Injunctive Relief <input type="checkbox"/> 71-Injunctive relief - imposition of stay <input type="checkbox"/> 72-Injunctive relief - other FRBP 7001(8) Subordination of Claim or Interest <input type="checkbox"/> 81-Subordination of claim or interest FRBP 7001(9) Declaratory Judgment <input checked="" type="checkbox"/> 91-Declaratory judgment FRBP 7001(10) Determination of Removed Action <input type="checkbox"/> 01-Determination of removed claim or cause Other <input checked="" type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)			
TITLE III CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES			
NAME OF DEBTOR COMMONWEALTH OF PUERTO RICO		CASE NO. 17-BK-3283 (LTS)	
DISTRICT IN WHICH CASE IS PENDING DISTRICT OF PUERTO RICO		DIVISION OFFICE	NAME OF JUDGE LAURA TAYLOR SWAIN

RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH CASE IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) /s/ David Carrión Baralt		
DATE 5/14/2018	PRINT NAME OF ATTORNEY (OR PLAINTIFF) DAVID CARRION BARALT	

THIS FORM IS TO BE USED EXCLUSIVELY FOR FILINGS RELATING TO THE PUERTO RICO OVERSIGHT MANAGEMENT AND ECONOMIC STABILITY ACT (PROMESA). FOR ADMINISTRATION PURPOSES **ONLY**, THE PUBLIC DOCKETS FOR PROMESA PROCEEDINGS UNDER TITLE III AND ADVERSARY PROCEEDINGS WILL BE MAINTAINED ON THE CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF) SYSTEM OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO. THESE CASES ARE UNDER THE JURISDICTION OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO.